

## Message Text

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PAGE 01 PANAMA 01715 142308Z  
ACTION SS-25

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O 142244Z MAR 78  
FM AMEMBASSY PANAMA  
TO SECSTATE WASHDC IMMEDIATE 6098

C O N F I D E N T I A L PANAMA 1715

STADIS////////////////

EXDIS

FOR CHRISTOPHER FROM JORDEN

E.O. 11652: GDS  
TAGS: PN, PEPR, PFOR  
SUBJECT: MEETING WITH PANAMA TREATY SPECIALISTS

REF: PANAMA 1697

1. AMBLER MOSS AND I HAD ANOTHER MEETING THIS AFTERNOON WITH PANAMANIAN TREATY SPECIALISTS FOLLOWING UP ON OUR SESSION THIS MORNING REPORTED REFTEL. THE ATMOSPHERE WAS A BIT MORE RELAXED THAN IT HAD BEEN IN THE A.M. AND THE PANAMANIAN SEEMED SOMEWHAT MORE FORTHCOMING. IT WAS CLEAR, NONETHELESS, THAT THERE ARE LIMITS IN TREATY ADJUSTMENTS AND INTERPRETATIONS BEYOND WHICH THEY FEEL THEY CANNOT GO.

2. THEY UNDERSTAND OUR POINT AS REGARDS ARTICLE XII OF THE CANAL TREATY AND OUR DESIRE TO ELIMINATE THE ESSENTIALS OF AGREEMENT ON A SEA LEVEL CANAL. BUT THEY BELIEVE THAT ALL FORMULATIONS THUS FAR SUGGESTED REPRESENTED A "MAJOR CHANGE" IN THE TREATY AND THUS WOULD FORCE THEM INTO ANOTHER PLEBISCITE. THEY HAVE AGREED TO GIVE THIS ADDITIONAL  
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THOUGHT AND TO MAKE EFFORTS TO FIND A PROPOSAL THAT WOULD HANDLE OUR CONCERNS AND THEIRS. THEY NOTE THAT WE HAVE A LITTLE TIME TO WORK ON THIS BEFORE IT BECOMES AN ISSUE ON THE SENATE FLOOR.

3. AS REPORTED PREVIOUSLY, THEIR MAIN CONCERN REGARDING THE PROPOSAL FOR POST-1999 MILITARY ACTION OR A POSSIBLE U.S.

ESTABLISHMENT HERE RESTS WITH THE USE OF THE WORDS "MILITARY PRESENCE." THEY NOTE THAT THE TERMINATION DATE OF 2,000 AND END OF FOREIGN MILITARY BASES HERE WERE THE FEATURES THAT MADE IT EASIEST FOR THEM TO SELL THE NEW TREATY TO THEIR PEOPLE LAST YEAR. TO APPEAR TO REVERSE THAT PROVISIO WOULD CAUSE DEEP POLITICAL EMBARRASSMENT. I NOTED THAT THE U.S. PROPOSAL SPECIFIED THAT ANY SUCH PRESENCE WOULD BE SUBJECT TO FUTURE NEGOTIATION AND PANAMANIAN AGREEMENT. THEY UNDERSTOOD THAT BUT CLAIMED THAT THE PHRASE STILL RANKLED. THEY PROMISED TO TRY TO FIND SOME FORMULA THAT MIGHT MEET OUR NEEDS AND ACCOMMODATE THEIR CONCERNS.

4. I HAVE JUST HAD A CALL FROM ROYO WHO SAID THEY HAD CONSULTED AND WANTED TO PROPOSE THE FOLLOWING WHICH WOULD BE AN "UNDERSTANDING" RELATED TO ARTICLE V:

QUOTE. SUBJECT TO THE CONDITION, TO BE INCLUDED IN THE INSTRUMENT OF RATIFICATION OF THE TREATY TO BE EXCHANGED WITH THE REPUBLIC OF PANAMA, THAT NOTHING SHALL PRECLUDE THE UNITED STATES AND PANAMA, IN ACCORDANCE WITH THEIR RESPECTIVE CONSTITUTIONAL PROCESSES, FROM ENTERING INTO FUTURE NEGOTIATIONS FOR THE PURPOSE OF REACHING ANY AGREEMENT TO FACILITATE PERFORMANCE, AT ANY TIME AFTER DECEMBER 31, 1999, OF THEIR RESPONSIBILITIES TO MAINTAIN THE REGIME OF NEUTRALITY ESTABLISHED IN THE TREATY, INCLUDING AGREEMENTS ON MILITARY COOPERATION AS THE UNITED STATES AND PANAMA MAY DEEM NECESSARY OR APPROPRIATE. UNQUOTE.

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NECESSARY OR APPROPRIATE. UNQUOTE.

5. AS FOR THE SUGGESTED CONDITION THAT THE U.S. HAVE THE RIGHT TO TAKE NECESSARY STEPS, INCLUDING THE USE OF MILITARY FORCE, TO KEEP THE CANAL OPEN OR TO RESTORE OPERATIONS, THE PANAMANIAN REPEATED THEIR STRONG FEELING THAT THIS WOULD BE TOTALLY UNACCEPTABLE TO THEIR GOVERNMENT. THEY ARGUED THAT NO GOVERNMENT COULD GRANT SUCH A RIGHT TO ANOTHER NATION AND MAINTAIN ITS NATIONAL PRIDE.

6. AS A PARTING NOTE, THEY SAID THEY APPRECIATED THE CONSULTATION THUS FAR AND EXPRESSED THE HOPE THAT IT WOULD CONTINUE. THEY SAID THEY WOULD HOPE THEY WOULD NOT BE HIT SUDDENLY BY ANY SURPRISES AS A RESULT OF THE SENATE DELIBERATIONS AND WOULD HAVE AN OPPORTUNITY TO GIVE US THEIR REACTIONS AND COMMENTS ON ANY SENATE PROPOSALS. WE PROMISED TO DO OUR VERY BEST ALONG THIS LINE.

7. INCIDENTALLY, THEY SAID THERE WOULD BE ABSOLUTELY NO PROBLEM ABOUT REACHING AGREEMENT ON U.S. CONTROL OVER THE COROZAL CEMETERY AND THE RIGHT TO FLY THE U.S. FLAG OVER SAME.

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## Message Attributes

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**Decaption Date:** 20 Mar 2014  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
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**Type:** TE  
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